

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LEJON MABON,

Petitioner,

v.

JIM COOPER,

Respondent.

No. 2:23-CV-1004-TLN-DMC

ORDER

Petitioner, who is proceeding pro se, brings this petition for a writ of habeas corpus under 28 U.S.C. § 2254. The matter was referred to a United States Magistrate Judge pursuant to Eastern District of California local rules.

On August 15, 2023, the Magistrate Judge filed findings and recommendations herein which were served on the parties, and which contained notice that the parties may file objections within the time specified therein. No objections to the findings and recommendations have been filed by either party.

The Court presumes that any findings of fact are correct. *See Orand v. United States*, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed *de novo*. *See Britt v. Simi Valley Unified School Dist.*, 708 F.2d 452, 454 (9th Cir. 1983). Having reviewed the file, the Court finds the findings and recommendations to be supported by the record and by the magistrate judge's analysis.

Accordingly, IT IS HEREBY ORDERED as follows:

1. The findings and recommendations filed August 15, 2023 (ECF No. 7) are
ADOPTED IN FULL.
 2. Petitioner's petition for a writ of habeas corpus (ECF No. 1) is **DISMISSED**
without prejudice.
 3. The Court **DECLINES** to issue a certificate of appealability.
 4. The Clerk of the Court is directed to close this case.

Date: December 4, 2023

J.W. Hanley

Troy L. Nunley
United States District Judge